

ORDINANCE NUMBER O-19730 (NEW SERIES)

DATE OF FINAL PASSAGE April 8, 2008

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING CHAPTER 12, ARTICLE 9, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 129.0403, BY AMENDING CHAPTER 14, ARTICLE 7, DIVISION 1, BY RETITLING ARTICLE AND DIVISION AND AMENDING SECTIONS 147.0101, 147.0102, AND 147.0103, BY ADDING NEW SECTIONS 147.0104, 147.0105, 147.0106, AND BY RENUMBERING AND AMENDING SECTION 145.0104 TO 147.0107; BY AMENDING CHAPTER 14, ARTICLE 7, DIVISION 2, BY ADDING SECTION 147.0204; AND ADOPTING THE 2007 CALIFORNIA PLUMBING CODE AND ASSOCIATED MUNICIPAL CODE AMENDMENTS.

WHEREAS, the California Building Code, 2007 Edition, has been published by the California Building Standards Commission, and amended by the State Department of Housing and Community Development, the Division of the State Architect/Access Compliance, the State Office of Statewide Health Planning and Development, the State Fire Marshal and the Department of Water Resources; and

WHEREAS, every three years the City of San Diego adopts by reference the latest edition of the California Building Standards Code pursuant to Health and Safety Code section 17922; and

WHEREAS, this is done in coordination with the State of California's adoption of these codes, and this procedure provides an additional opportunity to modify local regulations based on local findings; and

WHEREAS, the State adopted the 2006 Uniform Plumbing Code (UPC) as the basis for the 2007 California Plumbing Code; and

WHEREAS, this ordinance amends the San Diego Municipal Code so as to adopt by reference the 2007 Edition of the California Plumbing Code (2006 UPC with State amendments); and

WHEREAS, Section 17958 of the California Health and Safety Code provides that the governing body of every city or county shall adopt ordinances or regulations imposing the same requirements as those contained in the California Building Code; and

WHEREAS, Sections 17958.5 and 17958.7 of the California Health and Safety Code provide that a city or county may make such changes or modifications to the requirements contained in the California Building Code which are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, certain amendments have been recommended by the City of San Diego Board of Building Appeals and Advisors and the City of San Diego Planning Commission as changes or modifications in the requirements of the California Building Code which are reasonably necessary because of local climatic, geological and topographical conditions NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. Findings

The Council of the City of San Diego expressly finds and declares in accordance with California Health and Safety Code section 17958.5 that the amendments, additions, and deletions incorporate changes and modifications which are reasonably necessary because of the following local climatic, geological and topographical conditions:

1. Climatic

The City of San Diego experiences periods of high temperatures, accompanied by low humidity and high winds each year. These conditions create an environment in which the Fire Department commits large numbers of fire fighting resources to the control and extinguishment of wildland fires. During such periods, the limited available firefighting resources may have great difficulty controlling fires in structures. Years of drought and San Diego's semi-arid natural environment have increased the combustibility of vegetation. The hot dry weather in combination with Santa Ana winds creates very dangerous conditions to the region including the City of San Diego.

2. Geological

The City of San Diego is situated near three major earthquake faults, each capable of generating quakes with a magnitude of 7.0. These faults are the Elsinore Fault, Northeast of the City; the Rose Canyon Fault which extends from La Jolla Cove, through Rose Canyon and into downtown San Diego; and the Coronado Banks Fault which extends in a Northwest/Southeast direction, just off coast. The City of San Diego is subject to seismic events. Seismic events do three things simultaneously: 1. They disrupt the water supply and damage sprinkler systems; 2. They cause ignitions from a variety of sources; 3. They overwhelm the emergency response system instantly and on a large-scale. The most severe threat from earthquakes is damage to and the collapse of buildings and other structures due to ground movement. There is a distinct concern that fires may be caused by an earthquake because of damage to gas and power lines and the unavailability of sufficient water supply to control fires based on broken water mains.

3. Topographical

Access to vegetation is made difficult by terrain that includes hills, mountains and canyons creating a delay for emergency personnel in the extinguishment of a fire area.

The City of San Diego has over 900 linear miles of wildland urban interface, where back yards of homes meet the natural vegetation (coastal sage scrub and chaparral) in canyons.

Section 2. That Chapter 12, Article 9, Division 4, of the San Diego Municipal Code is amended by amending section 129.0403, to read as follows:

§ 129.0403 Exemptions from a Plumbing Permit for Plumbing Work

A Plumbing Permit is not required for the following plumbing work:

- (a) Stopping of leaks in drains, soil, waste, or vent pipe. However, this exemption does not apply for the replacement of any drain pipe, soil, waste, or vent pipe with new material in any part as part of the repair.
- (b) Clearing of stoppages, or the repair of leaks in soil, waste, or vent pipes, valves, fixtures, or replacement of exposed traps in existing plumbing systems serving lavatories, sinks, laundry trays, or similar fixtures.
- (c) Replacement in kind of plumbing fixtures in any single dwelling unit, or in any multiple dwelling unit building with 8 or fewer units.

Section 3. That Chapter 14, Article 7, Division 1, of the San Diego Municipal Code is amended by re-titling the Article and Division and amending sections 147.0101, 147.0102, 147.0103., adding new Sections 147.0104, 145.0105 and 145.0106; and renumbering and amending current section 147.0104 to 147.0107, to read as follows:

Article 7: Plumbing Regulations
Division 1: Adoption and Applicability of the
Plumbing Regulations

§147.0101 Purpose of the Plumbing Regulations

The purpose of these regulations is to reduce hazards to life and property from the use of plumbing systems and appliances.

Consistent with the above safeguards, it is intended and encouraged that these systems and appliances, together with their installation, quality, materials, maintenance, repair, assembly, and manufacture, provide a high degree of comfort, convenience, and service to the users and at the same time reduce the cost of housing for the people of the City of San Diego.

§ 147.0102 When the Plumbing Regulations Apply

- (a) The requirements of this article apply to all privately owned plumbing installations except installations in hospital buildings as defined in California Health and Safety Code Section 129725.
- (b) Administration and enforcement of the Plumbing Regulations are regulated by the applicable provisions of Chapters 11 and 12.

§ 147.0103 Adoption of the 2007 California Plumbing Code

- (a) Except as provided in Section 147.0104 through 147.107, the 2007 California Plumbing Code, published and amended by the California Building Standards Commission (BSC) and as amended by the California

Department of Housing and Community Development [HCD]; the Division of the State Architect-Access Compliance [DSA/AC]; the State Office of Statewide Health Planning and Development [OSHPD3]; and the State Fire Marshal [SFM], a copy of which is on file in the office of the City Clerk as Document No. OO-_____, is adopted by reference.

- (b) When reference is made to the 2007 California Plumbing Code, it shall be the 2007 California Plumbing Code, California Code of Regulations Title 24, Part 5 as published by the California Building Standards Commission and adopted by the City of San Diego.
- (c) Application. The amendments made by the state agencies to the model code and incorporated into the 2007 California Plumbing Code are applicable only to those occupancies or uses which the state agency making the amendments is authorized to regulate, as listed in Section 101.3, 102, 108, 109.1, 110.3 and 113 of the 2007 California Plumbing Code. The Building Official shall only enforce those amendments made by the following state agencies:
 - (1) California Building Standards Commission.
 - (2) The Department of Housing and Community Development (HCD 1, HCD 1/AC).
 - (3) Division of the State Architect, Access Compliance (DSA/AC).
 - (4) Office of the State Fire Marshal (SFM).

- (5) Office of Statewide Health, Planning and Development
(OSHDP3).
- (6) California Energy Commission (CEC).
- (7) Department of Water Resources (DWR).

§ 147.0104 Modifications to the 2007 California Plumbing Code Adopted by the City of San Diego

The following sections or sub-sections of the 2007 California Plumbing Code have been modified by the City of San Diego:

- (a) Chapter 4, Plumbing Fixtures and Fixture Fittings, Section 412 “Minimum Number of Required Fixtures.”

§147.0105 Additions to the 2007 California Plumbing Code Adopted by the City of San Diego

- (a) None.

§ 147.0106 Adoption of Appendices to 2007 California Plumbing Code

- (a) The following Appendix Chapters of the 2007 California Plumbing Code adopted by a State agency as identified in section 147.0103 and the adoption matrices of the 2007 California Plumbing Code are adopted by the City of San Diego:

- (1) Appendix G - Graywater Systems.
- (2) Appendix K - Private Sewage Disposal Systems.

(3) Appendix L - Alternate Plumbing Systems.

(b) The following Appendix Chapters of the 2007 California Plumbing Code not adopted by a State agency as identified in section 147.0103 and in the adoption matrices of the 2007 Plumbing Code are adopted by the City of San Diego:

(1) Appendix A - Recommended Rules for Sizing the Water Supply System.

(2) Appendix B - Explanatory Notes On Combination Waste And Vent Systems.

(3) Appendix D - Sizing Storm Water Drainage Systems.

(4) Appendix I - Installation Standards.

§ 147.0107 Portions of the 2007 California Plumbing Code Not Adopted

The following portions of the 2007 California Plumbing Code are not adopted:

(a) Chapter 1 - General Code Provisions.

(b) Chapter 13 - Health Care Facilities and Medical Gas and Vacuum Systems.

Section 4. That Chapter 14, Article 7, Division 2, of the San Diego Municipal Code is amended by adding sections 147.0204, to read as follows:

§ 147.0204 Local modifications to 412 “Minimum Number of Required Fixtures” of the 2007 California Plumbing Code.

(a) Modify Section 412.1 as follows.

412.1 Fixture count. Plumbing fixtures shall be provided for the type of building occupancy and in the minimum number shown in Table 4-1 of the 2007 California Plumbing Code. Chapter 29 “Plumbing Systems” of the 2007 California Building Code has not been adopted.

Section 5. All of the provisions of the San Diego Municipal Code adopted by the City of San Diego that are in conflict with the provisions of this ordinance are hereby repealed

Section 6. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 7. This ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By _____
Rachel Lipsky
Deputy City Attorney

RL:pev
02/06/08
03/03/08 COR.COPY
Or.Dept:DSD
O-2008-100
MMS #5831

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of _____.

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor